

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Jeff S. EDER

Application No. 09/940,450

Group Art Unit: 3628

Filed: August 29, 2001

Examiner: Clement Graham

For: An automated method of and system for identifying measuring and enhancing categories of value for a value chain

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendments  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO - 1449 and/or Substitute Form PTO - 1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

- ☐ within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
- ☒ after (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes one of:
- ☐ the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below)
- or
- ☒ the fee of \$180 set forth in 37 CFR 1, 17 (p) (see "Fees" below).
- ☐ after the mailing date of a final action under 37 CFR 1, 113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(c) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as set forth in 37 CFR 1, 17(p) (see "Fees" below).
- ☐ after the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and within thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below). NOTE: This is for original applications except applications for a design patent filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

#### Copies of the References

- ☐ Copies of the references listed on the enclosed Form 1449 are enclosed herewith.
- ☒ This patent application was filed after June 30, 2003. Accordingly, copies of U.S. patents and patent applications that are listed on the accompanying Form 1449 are not enclosed herewith (see Official Gazette Notice of August 5, 2003). Copies of other references identified on the accompanying Form 1449 are enclosed herewith.
- ☐ Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).

☐ A copy of the foreign search report is enclosed herewith.

☐ Many of the references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		Status ( <i>check one</i> )		
U.S. APPLICATIONS	U.S. Filing Date	PATENTED	PENDING	ABANDONED
1.				
2.				
3.				

Statement under 37 CFR 1.97(e)

☐ The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

☐ The undersigned hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Statement under 37 CFR 1.704(d)

☐ The undersigned hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Fees

- ☐ No fee is owed by the assignee(s).
- ☒ The IDS Fee of \$180 under 37 CFR I. 17(p) is enclosed herewith.

The Assignee respectfully requests consideration of the instant application with the information disclosure statement attached herewith.

The Assignee would also like to inform the Examiner that all previously submitted references have been scanned to pdf files. As a result, any missing document(s) can now be emailed, faxed or uploaded to the files upon receipt of a request to do so. Please send any request for any reference that has been "lost" in the U.S.P.T.O. to [ipcommittee@asset-trust.com](mailto:ipcommittee@asset-trust.com). In most cases the document(s) will be sent the same day the email is received.

Respectfully submitted,

/B.J. Bennett/

B.J. Bennett, President Asset Trust, Inc.

Date: September 2, 2006

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	09/940,450
Filing Date	8/29/2001
First Named Inventor	Jeff S. Eder
Art Unit	3628
Examiner Name	Clement Graham
Attorney Docket Number	AR - 23

Sheet \_\_\_\_\_ of \_\_\_\_\_

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	US-	6,909,708 - B1	06-21-2005	Krishnaswamy, et al.	
	US-	6,249,768 - B1	06-19-2001	Tulskie, William	
	US-	6,282,531 - B1	08-28-2001	Haughton, John	
	US-	6,278,981 - B1	08-21-2001	Dembo, Ron	
	US-	6,148,293 - B1	11-14-2000	King, Douglas	
	US-	6,073,115 - B1	10-07-1997	Marshall, Paul	
	US-	6,064,972 - B1	5-16-2000	Jankowitz, Charles	
	US-	6,078,901 - B1	8-20-2000	Ching, Hugh	
	US-	6,453,297 - B1	9-17-2002	Burks, James	
	US-	5,704,055 - B1	12-30-1997	George, Jonel	
	US-	5,774,873 - B1	6-30-1998	Berent, Thomas	
	US-	5,644,727 - B1	07-10-1997	Atkins, Charles Agee	
	US-	5,704,045 - B1	12-30-1997	King, Douglas	
	US-	5,742,775 - B1	04-21-1998	King, Douglas	
	US-	5,668,951 - B1	09-16-1997	Shintani, Peter	
	US-	5,819,237 - B1	10-06-1998	Garman, Mark	
	US-	20010041995 - A1	11-15-2001	Eder, Jeff	
	US-	20010034268 - A1	10-25-2001	Eder, Jeff	
	US-	20010034686 - A1	10-25-2001	Eder, Jeff	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>4</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 9838588	02-28-1997	Mayon & White		
		EP 0 587 290 A2	03-16-1994	Powers et al		
		GB 2 253 081 A	02-19-1992	Kaisha, Kabushi		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinda Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	09/940,450
Filing Date	8/29/2001
First Named Inventor	Jeff S. Eder
Art Unit	3628
Examiner Name	Clement Graham
Attorney Docket Number	AR - 23

Sheet

of

**U. S. PATENT DOCUMENTS**

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number/Kind Code <sup>2</sup> (if known)			
		US- 20040172319 -A1	09-02-2004	Eder, Jeff	
		US- 20060143115 -A1	06-29-2006	Eder, Jeff	
		US- 20060184449 -A1	08-17-2006	Eder, Jeff	
		US- 20010041996 -A1	11-15-2001	Eder, Jeff	
		US- 20020046143 -A1	04-18-2002	Eder, Jeff	
		US- 20040088239 -A1	05-06-2004	Eder, Jeff	
		US- 20040193503 -A1	09-30-2004	Eder, Jeff	
		US- 20040199445 -A1	10-07-2004	Eder, Jeff	
		US- 20040215495 -A1	10-28-2004	Eder, Jeff	
		US- 20040215522 -A1	10-28-2004	Eder, Jeff	
		US- 20040225629 -A1	11-11-2004	Eder, Jeff	
		US- 20040236621 -A1	11-25-2004	Eder, Jeff	
		US- 20040236673 -A1	11-25-2004	Eder, Jeff	
		US- 20050071266 -A1	03-31-2005	Eder, Jeff	
		US- 20050119900 -A1	06-02-2005	Eder, Jeff	
		US- 20050119919 -A1	06-02-2005	Eder, Jeff	
		US- 20050119922 -A1	06-02-2005	Eder, Jeff	
		US- 20050119959 -A1	06-02-2005	Eder, Jeff	
		US- 20050251468 -A1	11-10-2005	Eder, Jeff	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>4</sup>
		Country Code <sup>3</sup> Number & Kind Code <sup>4</sup> (if known)				

Examiner  
SignatureDate  
Considered

<sup>1</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST 3). <sup>5</sup> For Japanese patent documents, the indicator of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2

Substitute for form 1449/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

## **Complete if Known**

Application Number	09/940,450
Filing Date	8/29/2001
First Named Inventor	Jeff S. Eder
Art Unit	3628
Examiner Name	Clement Graham
Attorney Docket Number	AR - 23

Sheet

of

## **NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		SIEGEL, JEREMY, "The Noisy Market Hypothesis", Dow Jones, 6/14/2006	
		FARQUHAR, PETER, et al, "Recognizing and measuring brand assets", Market Science Institute, 1/1/89	
		EVEREST, GORDON, Database Management Systems, McGraw Hill, 1986	
		MAUBOUSSIN, MICHAEL, "Get Real", CSFB, 6/23/1999	
		BARUA, ANITESH; "The Calculus of Reengineering", University of Mass., 8/1/1994	
		HAYES, ROBER & ABERNATHY, WILLIAM, "Managing our way to economic decline", HBR, 7/1/80	
		MAIER, DAVID, "Database desiderata for xml query language", W3C, 1/1/1998	
		WIDOM, JENNIFER; "Data management for xml: research directions", IEEE, 7/1/1999	
		QUINN, JAMES BRIAN, Intelligent Enterprise, The Free Press, 1992	
		BREWKA, GERHARD, Principles of knowledge representation, CSLI Publications, 1994	

Examiner  
 Signature

Date  
 Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 509. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.96. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

Application Number	09/940,450
Filing Date	8/29/2001
First Named Inventor	Jeff S. Eder
Art Unit	3628
Examiner Name	Clement Graham
Attorney Docket Number	AR - 23

Sheet

of

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		FOWLER, MARTIN, Analysis patterns, Addison Wesley, 1997	
		APPRAISAL STANDARDS BOARD, "Uniform standards of professional appraisal practice", 1997	
		GOLDFARB, CHARLES, Xmi Handbook, Prentice Hall, 1998	
		DOWD, KEVIN, Beyond Value at Risk, John Wiley & Sons, 1998	
		WALL, MATTHEW, "Introduction to Genetic Algorithms", MIT, 8/31/2006	
		BOUQUET, PAOLO et al, Modeling and using context - Context 99, Springer, 9/9/1999	
		MEHRDAD, BAGHAI et al, "Alchemy of Growth", Perseus, 3/1/1999	
		DELOITTE, Valuing Intangible Assets, January 2006	

Examiner  
Signature

Date

Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 509. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.96. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.